

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

3:08cv235

SARAH KATHLEEN PIZZINI HIXSON,)
Plaintiff,)
)
v.)
)
LIBERTY LIFE ASSURANCE COMPANY OF)
BOSTON and NATIONAL MEDICAL CARE,)
INC.,)
Defendants.)
_____)

ORDER

THIS MATTER is before the court upon its own motion. The Defendants have filed a Motion for Summary Judgment in this matter with a supporting brief.

It appears that the Defendants may be entitled to summary judgment in this action as a matter of law. Therefore, the Plaintiff Sarah Kathleen Pizzini Hixson is directed to file a response as described below:

TO THE PLAINTIFF, SARAH KATHLEEN PIZZINI HIXSON, READ THE FOLLOWING VERY CAREFULLY:

You are advised that under the provisions of Fed.R.Civ.P. 56(e) the Plaintiff is required to file a brief written argument opposing the Defendants' brief supporting the Motion for Summary Judgment. If the Plaintiff does not file such a response, the court may grant the motion and enter summary judgment against the Plaintiff. If the Plaintiff does file such a response, the court will consider it to determine if any genuine issue of material fact appears, and thereafter will either grant or deny the Motion for Summary Judgment.

Within fourteen (14) days of the date of entry of this Order, the Plaintiff must submit these materials or request an extension of the deadline for submission of these materials. If the Plaintiff files any affidavits or unsworn statements made under penalty of perjury opposing the Defendants' Motion for Summary Judgment, the statements must either be sworn statements containing the seal of a notary public or must be signed and dated following a declaration which states:

"I declare under penalty of perjury that the foregoing is true and correct."

You are hereby advised that you have fourteen (14) days from the filing of this Order in which to file your response to the Motion for Summary Judgment. If you fail to respond to this motion, the court will proceed to decide the matter. A copy of the response must be served on Defendants and a certificate of service must be filed with the court showing that a copy has been sent to counsel for Defendants.

IT IS THEREFORE ORDERED that Plaintiff has fourteen (14) days from the filing of this Order in which to respond to Defendants' Motion for Summary Judgment.

The Clerk is directed to certify copies of this Order to Plaintiff. The Clerk is specifically directed to send Plaintiff's copy by **certified mail, return receipt requested**.

Signed: February 24, 2009



Graham C. Mullen
United States District Judge

